

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

FLAGSTAR BANK, FSB, a federally  
chartered savings bank

Plaintiff,

CASE NO. 05-70950

HON. LAWRENCE P. ZATKOFF

v.

FEDERAL INSURANCE COMPANY, an  
Indiana Corporation and CONTINENTAL  
CASUALTY COMPANY, an Illinois  
Corporation.

Defendants.

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**ORDER DENYING PLAINTIFF'S MOTION FOR RECONSIDERATION**

This matter is before the Court on Plaintiff's Motion for Reconsideration of the Court's August 9, 2006 Opinion which granted Defendant Continental's Motion for Summary Judgment.

A Motion for Reconsideration is governed by E.D. MICH. LR 7.1(g)(3), which states:

Generally, and without restricting the court's discretion, the court will not grant motions for rehearing or reconsideration that merely present the same issues ruled upon by the court, either expressly or by reasonable implication. The movant must not only demonstrate a palpable defect by which the court and the parties have been misled but also show that correcting the defect will result in a different disposition of the case.

The Court finds that Plaintiff has not satisfied this standard. Plaintiff's Motion for Reconsideration merely presents the same issues which were already ruled upon by the Court.

For this reason, the Court HEREBY DENIES Plaintiff's Motion for Reconsideration.

IT IS SO ORDERED.

Date: August 30, 2006

s/Lawrence P. Zatkoff

LAWRENCE P. ZATKOFF

UNITED STATES DISTRICT JUDGE